

REMARKS

Claims 11-15, 17-20 and 29-34 are pending.¹ Claim 11 has been amended to clarify a typographical error. No new matter has been added. Claims 1-10, 16 and 21-28 were previously canceled.

Claims 11-15, 17-20 and 29 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 11, 14-15, 17-20 and 29-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Reboh et al. (US Patent No. 4,866,634) ("Reboh") in view of Hedstrom et al. (US Patent No. 6,477,471) ("Hedstrom"). Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh in view of Hedstrom, and further in view of Masch (US Patent No. 5,930,762) ("Masch").

Rejection of Claims 11-15, 17-20 and 29 under 35 U.S.C. § 112

Claims 11-15, 17-20 and 29 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is respectfully traversed and reconsideration is requested.

The Examiner asserts that the term "to deduce the plausibility" is not defined by claims 11 and 14, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. As per independent claim 11, one with ordinary skill in the art would be able to understand the language "deduce the plausibility" in light of the specification.

Content Analysis assesses changes in content using a simple odds scale called *maximum credible assessments*. The maximum credible assessment gives the most we could say in practice about content changes which we categorize as normal, outer normal, borderline, and abnormal changes. The maximum credible assessment criteria are summarized in Table 4 below. These criteria are arbitrary; one of ordinary skill in the art will appreciate that these values can be modified without departing from the spirit of the present invention. Additional embodiments of the present invention can include varying numbers of change

¹ Note that the Examiner mistakenly asserts that claim 16 is pending instead of claim 15.

categories. For example, a three category system can be provided including the following change categories: Normal, Borderline, and Abnormal.

Para. [0045]. Additionally, Table 4 recites:

Table 4

Change	Odds favoring problem	Potential of problem (Maximum credible assessment)
Normal	3 to 1	Little potential of problem
Outer Normal	6 to 1	Substantial potential of problem
Borderline	20 to 1	Strong potential of problem
Abnormal	>20 to 1	Decisive potential of problem

One of ordinary skill in the arts would be able to use the exemplary “maximum credible assessments” analysis to “deduce the plausibility.” “In other words, the maximum credible assessment is only a statement of *plausibility*, not actuality.” Para. [0047] (emphasis added).

Accordingly, the undersigned representative submits that “plausibility” in independent claims 11 and 14 is definite. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection to claims 11-15, 17-20, and 29.

Rejection of Claims 11, 14-15, 17-20 and 29-34 under 35 U.S.C. § 103

Claims 11, 14-15, 17-20 and 29-34 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Reboh in view of Hedstrom. The rejection is respectfully traversed and reconsideration is requested.

As per claim 11, the Examiner acknowledges that Reboh does not teach or suggest:

one or more central processing units coupled to the computer storage device,

the one or more central processing units performing a mathematical calculation calculating using the information content of the input financial data and the information content of the one or more historical values to deduce the plausibility that changes to the set of input financial data are the result of one or more errors, and

the one or more central processing units presenting a confidence level that a change between the information content of the input financial data and the information content of the one or more historical values is caused by an error.

Hedstrom fails to cure the deficiencies of Reboh. Examiner asserts that Hedstrom recites this claim language:

In accordance with one embodiment of the present invention, a software sigma predictive engine is provided for predicting defects in software. The engine comprises, for example, a personal computer (PC) with a processor, a storage unit (such as a disk drive), a monitor, and input device such as a keyboard and mouse as shown in FIG. 2. The processor is loaded with a software spreadsheet program such as Microsoft Excel 5.0. The operation is implemented as a workbook in three sheets. The user enters data in two sheets, the historical sheet and the current sheet. See diagram in FIG 3. A third sheet, the summary sheet, automatically summarizes the decisions made, actual observed defects, the predicted number of escaping defects, and statistical confidence intervals qualifying the “goodness” of the prediction. There is also a fourth sheet or page which contains the original computer program to calculate the Poisson probabilities.

Column 3, lines 19-36; see also Figures 4 and 5. However, this citation and the remainder of Hedstrom fail to teach or suggest “the one or more central processing units performing a mathematical calculation using the information content of the input financial data and the information content of the one or more historical values to deduce the plausibility that changes to the set of input financial data are the result of one or more errors,” as recited in claim 11.

Hedstrom does not analyze changes to the input data as recited in the claim, “to deduce the plausibility that **changes to the set** of input financial data are the **result of one or more errors.**” Instead, Hedstrom assumes that the input information is error free and, therefore, cannot calculate and deduce the plausibility that changes to the set of input financial data are the

result of one or more errors. Hedstrom recites “statistical confidence intervals qualifying the ‘goodness’ of the prediction,” but Hedstrom does not teach or suggest “one or more central processing units presenting a confidence level that a change between the information content of the input financial data and the information content of the one or more historical val[u]es is caused by an error.” Hedstrom’s “goodness” of the prediction is based on data to predict the number of escaping defects and does not correspond to whether the changes to the input data were caused by an error, as recited in claim 11. Thus, both Reboh and Hedstrom, alone or in combination, fail to teach or suggest each and every element of claim 11.

For at least the reasons set forth in claim 11, claim 14 is also patently distinguishable from the cited references. Because the cited references, either alone or in combination, do not teach or even suggest the limitations of independent claims 11 and 14, the Examiner has failed to establish the required *prima facie* case of unpatentability. See *In re Royka*, 490 F.2d 981, 985 (CCPA 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); see also MPEP § 2143.03. As claims 11 and 14 are believed to be allowable, claims 15, 17-20, and 29 are also believed to be allowable as they depend on claims 11 and 14. Accordingly, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 11, 14-15, 17-20, and 29.

Independent claim 30 is also believed to be patentable for at least the same reasons as claims 11 and 14. Further, the disclosures of Reboh and Hedstrom, alone or in combination, do not teach or suggest “identifying the odds of a possible error based on the change at a predetermined statistical confidence level.” The “change” refers to the “analyzing a **change** between the first information content and the second information content.” Reboh and Hedstrom do not teach or suggest, nor can they accomplish inherently, analyzing this change or identifying errors in the input data. Because Reboh and Hedstrom, either alone or in combination, do not teach or suggest each and every element of independent claim 30, the Examiner has failed to establish the required *prima facie* case of unpatentability. As claim 30 is believed to be allowable, claims 31-34 are also believed to be allowable as they depend on claim 30. Accordingly, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 30-34.

Rejection of Claims 12 and 13 under 35 U.S.C. § 103

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh in view of Hedstrom, and further in view of Masch. This rejection is respectfully traversed. For at least the reasons set forth above with respect to amended independent claim 1, Reboh and Hedstrom do not establish a *prima facie* case of obviousness with respect to dependent claims 12 and 13 because Reboh and Hedstrom do not teach or suggest each and every element of the independent claims. Masch fails to cure the deficiencies of Reboh and Hedstrom. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 12 and 13.

Notice of Related Application

This application is related to co-pending U.S. Patent Application Serial No. 10/989,046, entitled "SYSTEM AND METHOD FOR ASSURING THE INTEGRITY OF DATA USED TO EVALUATE FINANCIAL RISK OR EXPOSURE," filed November 15, 2004 and assigned to Examiner Samica L. Norman.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 50-4402.

Respectfully submitted,

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